



Staploe Education Trust

Policy and Procedure for the Management of Sickness Absence

Version:	1.2
Author:	HR Manager
Approved by:	Infrastructure Committee
Date:	Summer 2021
Review date:	Summer 2024

Contents

1. Terms of Reference	3
2. Introduction	3
3. Employees' Responsibilities	4
4. Reimbursement of Cost of Doctors' Statements.....	6
5. Illness or Injury Arising from Work.....	6
6. General Return to Work Arrangements	7
7. Probationary Periods for Support Staff.....	8
8. Unauthorised Absence/False Information.....	8
9. Attendance at Meetings	8
10. Informal Procedure	9
11. Formal Procedure.....	11
12. Policy Review	16
13. Appendix A.....	17
Sickness Absence/Welfare Meeting Record	17

1. Terms of Reference

1.1. For all employees employed by Staploe Education Trust.

1.2. Definitions:

“Headteacher” also refers to any other title used to identify the Headteacher/Executive Headteacher, where appropriate, or other senior manager delegated to deal with the matter by the Headteacher, for example the Operations Director.

“Companion” refers to a person chosen by the employee to accompany them, who shall be a trade union representative or a workplace colleague.

2. Introduction

2.1. Staploe Education Trust recognises its responsibility for the health, safety and welfare of its employees. This Sickness Absence Policy sets out procedures for reporting sickness absence and for the management of sickness absence in a fair and consistent way. This policy places emphasis on proactive support for employees in the event of ill health difficulties and/or where their symptoms are impacting upon work. This policy does not form part of any employee’s contract of employment and it may be amended at any time. Procedures set out in this policy, including any time limits, may be varied as appropriate in any case.

2.2. It is the responsibility of management to monitor sickness absence and to respond effectively to actual and potential problems. The Trust has standards for attendance for employees as it does for pupils. It is the responsibility of the Executive Headteacher/Headteacher/Operations Director and all levels of management to ensure these standards are achieved and to raise awareness of the effect of sickness absence levels on the quality and continuity of teaching and learning, the impact on effective support functions and other aspects of the effectiveness of the work of the Trust. In addition, managers have a clear obligation placed on them to identify and address problems in the work environment and/or job factors that may be contributing to employee absence.

2.3. Sickness absence can vary from short intermittent periods of ill-health to a continuous period of long-term absence and have a number of different causes (for example, injuries, recurring conditions, or a serious illness requiring lengthy treatment). Staploe Education Trust is committed to creating an environment where employees are able to raise concerns about their health and any impact upon work, and to ask for support and appropriate adjustments. Should managers notice a change in an employee’s behaviour/ability whilst in the workplace then they should discuss this with the employee to see if there is a health condition they are not aware of and whether any support needs to be provided.

2.4. The Executive Headteacher/Headteacher/Operations Director is responsible for monitoring the implementation of the procedure to ensure that the procedure is communicated to employees and that it is applied consistently. Levels of sickness absence will be monitored and will record the average percentage lost time rate and

the number of working days lost due to sickness per full time equivalent employee and identify areas where the work of the Trust, in particular the continuity of teaching and learning and impact of support functions, is being affected by absence levels. This will include a breakdown of total absence into long-term and short-term absence (normally more than 28 days) and reasons for absence. The information will be reported to Trustees on an anonymised basis. The procedure sets out the steps which the Executive Headteacher/Headteacher/Operations Director and line managers/HR will normally follow when employee's sickness absence occurs. Sickness absence may result from a disability under the Equality Act 2010. Reasonable adjustments to this procedure may be considered in appropriate cases, depending on the specific circumstances. HR advice should be obtained where the line manager considers the employee is likely to have a disability.

2.5. No action will be taken under the formal part of this Sickness Absence Policy against a trade union representative without prior discussion with an appropriate trade union officer, after obtaining the employee's agreement.

2.6. In normal circumstances, Managers with authority to have Return to Work discussions are:

- Line Managers (support of HR Officer/Manager may be necessary in some cases)

2.7. Managers with authority to hold Informal Sickness Absence Meetings are:

- Line Managers, SLT link and HR Officer/Manager

2.8. Senior Managers with authority to hold Stage 1 Meetings (and review other Senior Manager's Stage 1 decisions at appeal) are:

- Headteachers, SLT link, designated senior managers and HR Officer/Manager

2.9. The Executive Headteacher/Headteacher/Operations Director has authority to hold a Stage 2 meeting. In the event that the Executive Headteacher /Headteacher / Operations Director has held the Stage 1 meeting then Stage 2 may be considered by the Executive Headteacher or a Trustee.

3. Employees' Responsibilities

3.1. Employees must attend work when fit to do so.

3.2. Employees must follow the notification of absence procedures outlined in the Staff Handbook

3.3. An employee who is prevented by illness or injury from reporting for duty shall personally notify the person in their school who is responsible for arranging cover/absence as soon as possible by telephone (or email) and as early as possible on the first day of absence, and by 7.30am latest. This applies to all Trust employees, both teachers and associate staff and is to be done on each day of absence. The following details should be provided:

- The nature of the employee's illness/injury.
- The expected length of absence from work.
- Current contact details.
- Any outstanding or urgent work that requires attention.

3.4. If an employee does not report for work, and has not explained the reason for absence, then the employee should expect to be contacted by telephone in the first instance, followed by email, text and letter (if necessary) during the period of absence by the employee's line manager (or HR). The line manager will want to enquire after the employee's health and be advised, if possible, as to the employee's expected return date. This must not be treated as a substitute for reporting sickness absence. Absence that has not been notified in accordance with the sickness absence reporting procedure will be treated as unauthorised absence.

3.5. All employees must complete a self-certification form detailing the reason for absence for any period of sickness absence up to seven days. The self-certification form can be obtained from the contact for staff absence within the school and must be completed immediately on return to duty after meeting with your line manager (who signs the form off) and returned to the contact for staff absence within each school.

3.6. A breakdown of contacts at each school for absence is provided below:

Soham Village College	HR Assistant
Staploe Education Trust	
Kennett Primary School	School Administrator
The Shade Primary School	School Administrator/Assistant
The Weatheralls Primary School	PA to Headteacher

3.7. A medical certificate (a 'Statement of Fitness for Work' hereinafter called a 'Fit Note') must be provided from the eighth day of absence (including Saturdays and Sundays). This should be provided to the contact for staff absence within each school as soon as possible and, if absence continues further, Fit Notes should be provided to cover the whole period of absence. Failure to do so may result in non-payment of sick pay (where applicable) and/or disciplinary action if appropriate.

3.8. Employees must continue to submit Fit Notes during School closure periods.

3.9. The Trust may take a copy of the Fit Note for their records and return the original copy to the employee.

3.10. An employee shall, if required at any time, attend an Occupational Health (OH) or other medical appointment/examination by a registered medical practitioner nominated by the Trust.

3.11. Employees should inform their line manager if they are experiencing any difficulties in the workplace due to a health condition so that this can be discussed and support identified and as well as any other action points e.g. a referral to Occupational Health. Early notification will help line managers to determine the most appropriate course of action to support an employee's individual needs.

3.12. There may be some instances where the employee may be reluctant to discuss this with their line manager because of the nature of their condition. Where employees who do not wish to discuss the issue with their direct line manager, they may find it helpful to have an initial discussion with a trusted colleague or another manager/HR instead or a trade union representative, if there is one in the workplace.

3.13. It is recognised that female employees may need support and adjustments at work before the menopause (known as the perimenopause) as well as during and after the menopause and they are encouraged to raise this as outlined in 3.9. It is understood that the menopause and perimenopause is an individual experience. Therefore, the age a female employee experiences symptoms can vary significantly as well as the type of symptoms, severity of symptoms and the adjustments required. In addition, a trans man - someone who proposes to go through, is going through or has gone through a process, or part of a process, to change their gender from woman to man - may go through perimenopausal and menopausal symptoms. Early menopause can also take place following certain surgery or health conditions.

4. Reimbursement of Cost of Doctors' Statements

4.1. Where the Headteacher/Operations Director requires a medical certificate ('Fit Note') from an employee, the employer shall, on provision of a receipt, reimburse the employee if a charge is made for the Fit Note.

5. Illness or Injury Arising from Work

5.1. Any accident arising out of, or in the course of, employment within the Trust must be reported and recorded in accordance with the required procedures. The accident may be subject to investigation and reported by an employee authorised for this purpose by the Trust.

5.2. Where an employee seeks medical advice about an illness which is suspected or alleged to result from the nature of his or her employment, the employee must report relevant information to the Executive Headteacher/Headteacher/Operations Director or Senior Manager at the first opportunity.

5.3. In the case of the first, and any subsequent, absence due to industrial disease or accident an employee shall agree, at any time during such absence, if so required by the employer, to a medical examination by a registered medical practitioner nominated by the Trust.

6. General Return to Work Arrangements

6.1. Phased returns

Where an employee returns to work on a part time basis following long-term sickness absence, with the expectation that they will be able to work their full contractual hours (or other such amended contractual hours as agreed) within a reasonable period of time, then, in accordance with medical advice provided by the Occupational Health doctor, the following arrangements will normally be made in relation to pay:

- Where the employee has exhausted their sick pay entitlement, the salary payment made will be based on the number of hours worked during the phased return.
- Where the employee has not exhausted their sick pay entitlement, the employee will be paid in accordance with the number of hours worked, or the occupational sick pay entitlement that would be payable if the employee remained off work due to sickness absence, whichever is the greater amount.

6.2. If the employee returns to work with a Fit Note which states 'may be fit for work', the employee should notify their manager immediately, before commencing work. The advice on the note will be discussed together with any additional measures that may be needed to facilitate the employee's return to work, taking into account the doctor's advice. Consideration will be given as to how the advice impacts the employee, the job, the workplace, service delivery, pupils and colleagues. The doctor's comments, any of the return to work tick boxes and any other action that could facilitate a return to work will be considered with due regard to the Equality Act 2010. Options may include:

- phased return to work;
- altered hours;
- amended duties;
- consideration of redeployment;
- workplace adaptations;
- other reasonable adjustments.

6.3. If a return to work is possible, the agreed action plan will be documented using the appropriate form and implemented. The return to work form can be obtained from HR. If it is not possible to provide the support suggested by the doctor, the employee will remain on sick leave and will not normally need to return to their doctor to obtain a revised Fit Note unless this is required in the circumstances. A review date will be set.

6.4. Consideration will be given as to whether a risk assessment is required to ensure the health and safety of the employee in light of the reason for their ill health, for example a stress, ergonomic, menopausal or more general risk assessment may be required. The appropriate risk assessment will be completed no later than a week of the employees return. Line managers will usually complete a general risk

assessment form however, assistance may be required from ICT, HR, H&S as well, depending on the nature of the risk assessment.

6.5. The employee may return to work, with the agreement of the Trust, before the expiry of a Fit Note without going back to see their doctor, even if their GP has indicated that they need to assess them again. This will not breach the Trust's Employers Liability Compulsory Insurance, providing a suitable risk assessment has taken place if required.

7. Probationary Periods for Support Staff

7.1. All new support staff employees are subject to a probationary period. Sickness absence issues that arise during a support staff employee's probationary period may be taken into account in determining whether or not the probationary period is completed satisfactorily (or extended) and this procedure (save for the sickness absence reporting procedure) will not normally apply.

8. Unauthorised Absence/False Information

8.1. Unauthorised absence may be dealt with under the Disciplinary Procedure and could result in disciplinary action which may include dismissal.

8.2. The provision of any false information will be dealt with under our Disciplinary Procedure and could result in disciplinary action, which may include dismissal.

9. Attendance at Meetings

9.1. The employee must take all reasonable steps to attend discussions or meetings. Failure to do so without good reason may be treated as misconduct. Employees are not entitled to attend informal discussions/meetings under this policy with a trade union representative or work place colleague. At all formal meetings employees may be accompanied by a Companion (see Terms of Reference). If the employee (and/or their companion) is unable to attend at the time specified the employee should immediately inform their line manager or HR who will normally seek to agree an alternative time. Meetings will not normally be postponed beyond five working days. Depending on the circumstances, if an employee indicates that they are too unwell to attend a formal or informal meeting they will be given the option to:

- meet in another appropriate venue or at their home; or
- attend via telephone conference; or
- attend via video call: or
- send a Companion to represent them, providing appropriate written consent (though this will not normally apply in the case of informal meetings or discussions); or
- provide a written submission; or request that the meeting takes place in their absence.

9.2. If an employee fails to communicate their wishes with regard to the above, the meeting may take place in their absence with the outcome communicated to them in writing. Meetings will not, in normal circumstances, be postponed beyond five working days unless there is medical evidence that the employee is not medically fit to take part by any of the means described in clause 9.1 and, even if this is the case, the employer reserves the right to proceed with any necessary steps required to manage the specific case including holding meetings notwithstanding, as appropriate.

9.3. Any senior manager visiting an employee's home will be accompanied by another manager/appropriate colleague.

9.4. A meeting may be adjourned if the employee's line manager/appropriate manager is awaiting receipt of information, needs to gather any further information or give consideration to matters discussed at a previous meeting. The employee will be given a reasonable opportunity to consider any new information obtained before the meeting is reconvened.

10. Informal Procedure

10.1. Return to Work Discussion

The line manager will normally have a discussion with the employee on their return from a period of sickness absence of any length. The purpose of this discussion is to determine the reason for the absence and, where appropriate, offer assistance and support. It is also an opportunity to identify any difficulties that the employee is experiencing in carrying out the duties of the post and gives the employee an opportunity to raise any concerns or questions and bring any matters to the manager's attention. The return to work discussion should be held in private as soon as possible after a period of sickness absence, though it need not be long. When a note of the matters discussed at the meeting is made to record any action points, the employee and HR will be provided with a copy. If the time off is under 7 calendar days, this is likely to be recorded on the self-certification sickness form but if it's over 7 calendar days, this will need to be recorded on a return to work form (which can be obtained from HR).

10.2. Informal Sickness Absence/Welfare Meetings

Informal Sickness Absence or Welfare meetings may be arranged with employees whenever it is considered necessary including, for example, if the employee has had:

- a total of 7 working days absence within 2 adjoining half terms
- 10 working days within 1 academic year
- 3 occasions of absence within 2 adjoining half terms or
- unacceptable patterns of absence (including those flagged by the Bradford Factor)

10.3. Welfare meetings are more likely to be arranged where there is a genuine concern for an employee's health or safety and won't necessarily need to fall under one of the above examples.

10.4. Adjustments may need to be considered where the employee is considered to have a disability that is impacting upon their attendance and Occupational Health can advise further although it is for the manager to decide what adjustments are reasonable. Certain conditions are recognised as a disability such as cancer, HIV, MS and Occupational Health can advise if other conditions are likely to be covered.

10.5. In preparation for the meeting the line manager may, when appropriate:

- consider the School and/or Trust statistical data on levels and types of sickness absence for all employees to ensure consistency;
- confirm that an unsatisfactory level of attendance has been reached, depending on the circumstances, or that the record shows a pattern of absence or some other factual data which identifies the cause for concern;
- consider the job description and the impact of the absences on all affected; the working of the school and/or Trust and on the team.

10.6. The purpose of the meeting is to agree a supportive way forward, any action that will be taken and a timescale for review and/or a further meeting under the sickness absence procedure if this is required.

10.7. The line manager will, in normal circumstances, use the Sickness Absence/Welfare Meeting Proforma at Appendix A as the agenda for the meeting and will record salient points. The employee will be given a completed signed copy after the meeting.

10.8. There is no entitlement for the employee to be accompanied by a Companion at an informal Sickness Absence or Welfare meeting. A note taker may be present but that will not normally be necessary.

10.9. Monitoring Period following Informal Sickness Absence/Welfare Meeting

After conducting a Sickness Absence/Welfare meeting, the line manager will review or monitor the employee's attendance for a further period (with the support of HR), normally this will be for a period of not less than one month and no longer than three months. Further meetings may take place during the monitoring period if there are further instances of sickness absence.

10.10. The line manager will:

- assess the employee's absence record and its impact;
- attempt to establish reasons for any on-going absence/s;
- offer any assistance to the employee (e.g. Occupational Health, Employee Assistance/Counselling);
- consider what, if any, measures might improve the employee's health and/or attendance with a view to supporting the employee and improving the employee's attendance record and welfare.

10.11. During the monitoring period the Executive Headteacher / Headteacher / Operations Director / line manager may require that any period of absence is covered by a medical certificate (Fit Note). If the employee has a fit note which states 'may be fit for work', the process in 6.2 will also be followed. If the suggested

support cannot be reasonably accommodated in order to facilitate the employee's return to work, a decision may be made to move to the formal part of the procedure.

10.12. Where the line manager is of the view that the employee's attendance has not improved to an acceptable level after the review period, the line manager should inform the employee that the issue will:

- be referred to Stage 1 of the formal procedure. A letter requiring attendance at a Stage 1 meeting will be sent to the employee; or
- if there are exceptional circumstances and it is appropriate to do so, extend the review period.

11. Formal Procedure

11.1. Stages in the Process

There are two stages in the formal process. The type of case (i.e. short or long-term absence) will determine the need to move either through the stages (short-term absence), or, in some circumstances, directly to Stage 2 (long-term absence). The procedure can end at any point in the process if there is sustained improvement. If further unacceptable periods of absence arise within 12 months of a Stage 1 meeting being held, the procedure may resume at Stage 2.

11.2. Preparation for Stage 1 Formal Meeting

An appropriate senior manager will arrange a formal meeting with the employee and give them notice of 10 working days, in writing, of:

- the reason for the meeting, outlining the concerns about the employee's attendance;
- the time, date and location of the meeting;
- who will be conducting the meeting and who else will be present;
- copies of any documents to be referred to including any previous action plans;
- the employee's right to be accompanied by a Companion and to refer to any documents/other parties if they wish; and
- the requirement for the employee to provide at least 2 days prior to the meeting:
- the name of their representative (if applicable); and
- copies of any papers to be referred to and other parties to be called (if applicable).

11.3. Stage 1 Meeting

At the Stage 1 meeting the appropriate manager will explain the purpose of the meeting. The following points are by way of guidance only:

- discuss the reasons, including any underlying causes for the employee's absence;

- explain how the employee's attendance has been assessed as unacceptable and the effect on teaching and learning, the impact on effective support functions, service delivery and colleagues;
- review the results of the informal procedure, including any measures taken to support the employee so far. Include any reasonable adjustments if appropriate, any work related issues and consider the content of any medical reports and advice received and support offered;
- discuss the likelihood of further absences, if absent on a number of occasions or how long the absence is likely to last, if absent on long-term sickness absence;
- seek agreement from the employee for referral to Occupational Health if this is required and/or appropriate in the circumstances;
- consider the employee's ability to return to/remain in their current role in view both of their capabilities and the School/Trust needs and any adjustments that can reasonably be made, if appropriate, to their role to enable them to do so;
- consider possible redeployment opportunities and whether any adjustments can reasonably be made, if appropriate, to assist in redeploying the employee;
- where the employee is able to return from long-term sick leave, whether to their current role or a redeployed role if possible and/or appropriate, agreeing a return to work programme;
- give the employee and/or any Companion the opportunity to explain any mitigating circumstances;
- if appropriate, inform the employee that they may wish to consult their pension scheme provider with regard to ill health benefits;
- discuss the way forward and determine an action plan that clearly identifies:
 - the improvements necessary to achieve satisfactory levels of attendance;
 - the timescale for improvement;
 - how attendance will be measured/monitored;
 - any additional support/training to be provided; and
 - the review period, (normally one month and no more than three months);

The appropriate senior manager will write to the employee, normally within 5 working days of the Formal Stage 1 Meeting, to:

- confirm the action plan in writing; and
- advise the employee that if they fail to achieve the improvements in the review period then, unless the circumstances otherwise require, a Stage 2 meeting will be arranged where dismissal will be considered;
- confirm the employee's right to ask that another Senior Manager or Trustee/s (as appropriate) review/s the decision at an appeal meeting. Any appeal should be made in writing to the employee's line manager within 5 working days of the date on which the decision was sent to the employee.

11.4. Stage 1 Review Period

The appropriate senior manager will ensure that during the review period the employee's attendance is closely and objectively monitored. Normally, if practicably possible, weekly or biweekly supervision meetings will be held between the employee and the appropriate manager to ensure:

- effective monitoring;
- appropriate support is given to the employee;
- positive feedback is given where possible; and
- if further periods of non-attendance are identified, the reasons are discussed.

Notes of the monitoring process will normally be kept by the appropriate senior manager and a copy provided to the employee. The notes may be referred to at Stage 2 of the procedure.

11.5. Stage 1 Review Period Evaluation

If, at the end of the review period, the employee's level of attendance has improved to acceptable standards, no further action will be taken under this procedure, unless an acceptable level of attendance is not sustained during the next 12 months.

The decision to take no further action will be confirmed by the appropriate senior manager in writing, normally within 5 working days of the end of the review period. This letter will also confirm that the improved attendance must be sustained consistently during the next 12 months and explain that if there are further unacceptable periods of absence the Sickness Absence Procedure may be invoked at Stage 2. A copy of this letter will be kept on the employee's personnel file for 12 months.

11.6. If, at the end of the review period, the employee's attendance has not improved to acceptable standards then:

- the issue will be referred to the Executive Headteacher/Headteacher/Operations Director under Stage 2 of the procedure; or
- in exceptional circumstances, if appropriate, the review period will be extended.

Where the employee is in a Pension Scheme it may be appropriate to explore eligibility for an ill health pension award prior to convening a Stage 2 meeting.

11.7. Preparation for a Stage 2 Meeting

The appropriate senior manager will hold a formal meeting with the employee giving them 10 working days' notice, in writing, of:

- the reason for the meeting, outlining the outstanding concerns about the employee's level of attendance due to ill-health;
- the time, date and location of the meeting;
- who will be conducting the meeting and who else will be present;

- any documents to be referred to, which may include, as appropriate, previous action plans, notes of the monitoring process, copies of reports received from Occupational Health or other medical specialists;
- the employee's right to be accompanied by a companion as above, to call other parties and to refer to any documents they wish, copies of which should be sent to the appropriate manager at least 3 days in advance of the meeting; and
- the possible consequences of the meeting, i.e. that it may result in the employee's dismissal, if appropriate.

11.8. Stage 2 Meeting

At the meeting the Executive Headteacher/Headteacher/Operations Director may (with advice from an EPM HR Adviser where necessary) and by way of guidance only:

- explain the purpose of the Stage 2 meeting
- ask the appropriate manager to outline:
 - the ways in which the employee has been assessed as not meeting the expected levels of attendance due to ill-health;
 - the process so far under the Policy and Procedure for the Management of Sickness Absence;
 - any opportunities for return or redeployment that have been identified and where identified, the outcome of discussions with the employee
- review, as appropriate:
 - levels of attendance expected;
 - notes of the formal Sickness Absence/Welfare meetings, records of home visits or other meetings plus any other information relating to the informal action taken;
 - the previous monitoring of attendance and steps taken under any appropriate action plans;
 - medical advice received from Occupational Health or other medical specialists; and
 - measures taken by management to
- support the employee, e.g. reasonable adjustments if applicable
- review the effect of the unsatisfactory level of attendance on teaching and learning, service delivery and work colleagues;
- explore, as appropriate, the potential for the employee to achieve a sustained improvement in attendance;
- give the employee and/or their companion opportunity to answer the points made and to give an explanation or put forward any mitigating circumstances.

In circumstances where the Executive Headteacher/Headteacher/Operations Director has assumed the role of the appropriate manager at an earlier stage or does not have delegated power of dismissal, a Trustee or Committee of Trustees

will assume the role of the Executive Headteacher/Headteacher/Operations Director as set out above.

11.9. Stage 2 Decision

Following the discussions, the Executive Headteacher/Headteacher/Operations Director will adjourn the meeting to consider the options available including, without limit and for guidance only:

- to take no further action under the procedure;
- to set a further/final review period to allow for additional monitoring and/or additional management support. A further Formal Stage 2 meeting may be held at the end of this review period. If attendance is not satisfactory by that time then the employee may be dismissed;
- to dismiss the employee for lack of capability due to ill-health, ensuring that alternative work options have already been explored or will be explored during the employee's notice period, that there is no prospect of their return within a reasonable timeframe, or that they will be able to achieve or sustain their attendance.

11.10. Dismissal

If the decision at the Stage 2 (or a deferred Stage 2 meeting if applicable) is to dismiss the employee, the Executive Headteacher/Headteacher/Operations Director will inform the employee and their Companion, that the employee is dismissed, with the required contractual or statutory notice.

The Executive Headteacher/Headteacher/Operations Director will confirm in writing, to the employee within 5 working days, or as soon as reasonably practicable thereafter:

- that they have been dismissed;
- the grounds for dismissal and the reasons;
- the required contractual or statutory notice due (or payment in lieu of notice where applicable) and the date the dismissal will be effective;
- the employee's right of appeal against the dismissal to an Appeal Committee of the Trust Board.

Termination will normally be with full notice or payment in lieu of notice. In some cases, it may not be appropriate for the employee to work during their notice period. Further, the contract may provide that the employee remain at home on 'garden leave' or this may be agreed between the parties. A Fit Note must be provided that covers the employee's notice period.

11.11. Appeals

An employee has the right to appeal against a dismissal decision. Any appeal must be submitted within 10 working days of receipt of the letter confirming the dismissal, and must clearly state the grounds for appeal. All appeals against dismissal will be heard by the Appeal Committee of the Trust Board. The purpose of an appeal hearing is to review the decision made to dismiss the employee and to decide if this

decision was reasonable in all the circumstances. The appeal hearing will be held as soon as practicable, and the employee will have the right to representation at the hearing by a Companion.

The Appeal Committee of the Trust Board has the authority to:

- uphold the appeal (i.e. to reinstate the employee); and/or
- issue a lesser level of management action, e.g. to:
 - drop the formal process;
 - refer to a lower stage in the formal process; and/or
 - reduce standards of attendance or targets set in the action plan; or
- dismiss the appeal, i.e. the decision to dismiss remains in force.

The date that any dismissal takes effect will not be delayed pending the outcome of an appeal. However, if the appeal is successful, the decision to dismiss will be revoked with no loss of continuity or pay. The decision of the Appeal Committee of the Trust Board is final. The employee has no further right of appeal.

12. Policy Review

12.1. This policy will normally be reviewed on a 3-year cycle. This review may be brought forward as required by the Trust to reflect changes in supporting advice/guidance.

13. Appendix A

Sickness Absence/Welfare Meeting Record

This is the management record of a meeting held under the informal process (paragraph 10) of the Sickness Absence Policy and Procedure. It is strictly confidential. It will be held on the employee's personnel file until such time as the employee's attendance is wholly satisfactory and for 12 months thereafter. The record may be accessed and referred to by those with authority to manage the informal and formal stages of the Sickness Absence Policy and Procedure. A Sickness Absence meeting is not part of the formal procedure and there is no entitlement for the employee to be accompanied or represented. The meeting will be held in private.

Employee	Date of Meeting
Interviewing Manager	Length of Service
Details of Sickness Absence	
Period of Absence	Number of Days Absent
Reason/s for Absence	
Is absence related to a known or possible disability under the Equality Act? Has there been consideration of whether the 'trigger point' relating to days absence should be extended, or if the application of the sickness absence policy should otherwise be modified?	
No <input type="checkbox"/> Yes <input type="checkbox"/> if yes – details of medical evidence must be attached	

Details of Meeting

Key Points Discussed

Welcome and update, if necessary, on work events and changes

Reasons for Absence

Underlying medical condition?

The value of your contribution

The impact of absence on teaching and learning, service delivery and colleagues. How your work has been covered in your absence.

Are you fully recovered and able to resume full duties? Yes No

If your view is "no" then action plan should consider:

- Referral to Occupational Health (OH)
- Temporary adjustments which can reasonably be accommodated?

Action Plan

The objective is that attendance will be satisfactory to the employer. Is there anything we can do to improve your attendance, e.g. OH referral, counselling, a review of risk assessment, temporary or permanent reasonable adjustments to the workplace, working practices or working hours or training?

Is your absence in any way related to work?

Are you doing all you can to improve your attendance?

e.g. Act on medical advice, lifestyle choices, attention to work life balance, non-medical support e.g. counselling.

Fit note required for any period of absence during the monitoring period?

(see paras 3 and 10.3)

Yes No

Review

Attendance will be reviewed in:

1 month 2 months 3 months Date of review [Click here to enter a date.](#)

Please note that further absence during this period may, depending on the circumstances, mean that the review is held under Stage 1 of the formal procedure if appropriate.

Copy of Sickness Absence Policy and Procedure has been provided and process explained.

Yes Date: [Click here to enter a date.](#) No (must be provided and explained prior to a formal meeting)

Signature of Manager

Date

Signature of Employee

Date